

Message Text

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INFO OCT-01 ISO-00 ARA-06 SS-15 SIL-01 NSC-05 CCO-00 SSO-00

NSCE-00 /038 R

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DRAFTED BY IO:ROBLAKE:BKM

APPROVED BY IO:ROBLAKE

ARA:WDROGERS

S:JCOVEY

S/S-O:MTANNER

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TO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 139967 TOSEC 030009

C O R R E C T E D C O P Y (OMISSION IN TEXT)

E.O. 11652: GDS

TAGS: ILO, CI

SUBJECT:ACTION MEMORANDUM - (RESOLUTION ON CHILE IN THE ILO)
(S/S NO.7512116)

FOR THE SECRETARY FROM BLAKE

PROBLEM:

HOW SHOULD WE VOTE ON A TOUGH RESOLUTION IN THE ILO GENERAL
CONFERENCE CONDEMNING THE CHILEAN JUNTA FOR ITS TRADE UNION
PRACTICES? THIS RESOLUTION WILL BE VOTED UPON IN ILO'S
RESOLUTIONS COMMITTEE 10:00 A.M. MONDAY MORNING, GENEVA
TIME. WE
WILL HAVE ANOTHER CHANCE TO VOTE ON IT IN PLENARY
LATER IN THE SESSION.

BACKGROUND:

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THE EUROPEAN TRADE UNION REPRESENTATIVE AT THE ILO GENERAL
CONFERENCE HAVE TABLED A VERY CRITICAL RESOLUTION ON
TRADE UNION RIGHTS IN CHILE (STATE 19959 AND STATE
139961). THE RECOMMENDATIONS OF THIS RESOLUTION ARE

ORIENTED ON THE RESULTS OF AN ILO INVESTIGATING MISSION WHICH, WITH CHILEAN GOVERNMENT COOPERATION, VISITED CHILE LAST YEAR. THE REPORT CONDEMNED CHILE FOR PERSECUTION OF TRADE UNIONISTS AND FOR SUPPRESSING TRADE UNION RIGHTS, BUT IN TERMS LESS HARSH THAN THE PENDING RESOLUTION. THE REPORT CONTAINS A SERIES OF CONCLUSIONS AND RECOMMENDATIONS WHICH THE DRAFT RESOLUTION ENDORSES AND ASKS TO BE IMPLEMENTED. THE DRAFT RESOLUTION ADDS TO THE SPECIFIC RECOMMENDATIONS IN THE REPORT AN APPEAL TO THE CHILEAN AUTHORITIES TO ISSUE A DECREE OF GENERAL AMNESTY. IT ALSO ADDS A CONCLUSION THAT THERE HAS BEEN NO REAL IMPROVEMENT IN THE HUMAN RIGHTS SITUATION OF TRADE UNIONISTS IN CHILE DURING THE PAST YEAR. FINALLY, THE DRAFT RESOLUTION CALLS FOR REGULAR REPORTS FROM THE CHILEAN GOVERNMENT ON ITS IMPLEMENTATION OF CERTAIN ILO CONVENTIONS.

SUPPORTERS OF THE RESOLUTION:

APPARENTLY VIRTUALLY ALL THE WORKERS' DELEGATIONS AT THE ILO GENERAL CONFERENCE, INCLUDING THE U.S. WORKERS' DELEGATION BEFORE THEY WALKED OUT, SUPPORT THIS RESOLUTION; A FULL ANALYSIS OF VOTING POSITIONS, HOWEVER, IS NOT POSSIBLE BECAUSE NOT ALL THREE COMPONENTS OF EACH DEL ARE REPRESENTED ON THE RESOLUTIONS COMMITTEE. THE RESOLUTION WAS TABLED BY THE WORKERS' DELEGATIONS FROM SWEDEN, NETHERLANDS, INDIA, CANADA, FRG, UK, FRANCE, MEXICO, NORWAY AND DENMARK. IRVING BROWN HAS TOLD US THAT THE AFL/CIO STRONGLY SUPPORTS THE RESOLUTION, PARTICULARLY BECAUSE OF THEIR DESIRE TO ASSIST THE GERMAN TRADE UNIONS WHO WERE AMONG THE RESOLUTION'S PRINCIPAL SPONSORS. ALL WORKERS' DELEGATIONS INCLUDING EUROPEAN, ASIAN, AFRICAN AND LATIN AMERICAN WORKERS' DELEGATIONS (MINUS CHILE'S - ALL THREE

PARTS OF THE CHILEAN DELEGATION PLAN A WALK-OUT OF THE CONFERENCE IF THE RESOLUTION PASSES) PLAN TO VOTE FOR THE
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RESOLUTION.

LIKE-
WISE, THE EUROPEAN GOVERNMENT DELEGATIONS ALSO STRONGLY SUPPORT THE RESOLUTION. THE FRENCH GOVERNMENT GROUP IS AN AVID SUPPORTER. SOME OF THE LATIN AMERICAN GOVERNMENT GROUPS (MEXICO, GUYANA, SOME OF THE CARIBBEAN GOVERNMENTS, AND BY REPORT A FEW OTHERS) WILL VOTE FOR THE RESOLUTION AS WILL ALL THREE GROUPS FROM MOST OF THE AFRICAN AND ASIAN DELEGATIONS. AMONG ALL THESE GROUPS THE FEELING IS STRONG AGAINST CHILE. MANY OF THESE COUNTRIES HAVE POLITICALLY POWER-
FUL SOCIALIST-CONTROLLED TRADE UNION MOVEMENTS WHICH ARE ANXIOUS TO SCORE POINTS AGAINST CHILE AT ANY COST

AND WHICH CITE THE CRITICAL REPORT OF THE ILO INVESTIGATORY COMMISSION TO JUSTIFY THEIR STAND.

OPPONENTS OF THE RESOLUTION:

CHILE HAS REQUESTED THAT THE UNITED STATES USE ALL ITS EFFORTS TO DEFEAT THE RESOLUTION. ILO RULES ARE DIFFERENT FROM THOSE OF MOST OTHER INTERNATIONAL ORGANIZATIONS AND PROVIDE THAT "A QUORUM" MUST POSITIVELY SUPPORT A RESOLUTION IF IT IS TO PASS. (IN THE COMMITTEE A QUORUM IS TWO-FIFTHS OF ALL PARTICIPANTS.) THUS, IF THREE FIFTHS OF THE GOVERNMENT WORKERS' AND EMPLOYERS' DELEGATIONS IN THE COMMITTEE ABSTAIN OR DON'T PARTICIPATE, A RESOLUTION FAILS. THIS MEANS THAT OPPONENTS OF A RESOLUTION, AS WELL AS THOSE

WHO WANT TO HEDGE, WILL OFTEN ABSTAIN RATHER THAN VOTE "NO."

THOSE WHO PLAN TO ABSTAIN ON THE CHILE RESOLUTION INCLUDE:

--THE GOVERNMENT DELEGATIONS FROM ARGENTINA, BRAZIL AND COLOMBIA, WHO ARE SO VOTING AS AN ACT OF SOLIDARITY WITH CHILE. ALL LATIN AMERICAN DELEGATION DELEGATIONS ARE NOT MEMBERS OF THE COMMITTEE. SOME LATIN AMERICAN COUNTRIES ON THE COMMITTEE HAVE NOT INDICATED HOW THEY WILL VOTE.

-- THE US EMPLOYERS' DELEGATION, HAVING ALONG WITH SOME OTHER CONFIDENTIAL

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EMPLOYERS' DELEGATIONS FAILED IN AN ATTEMPT TO TONE DOWN THE RESOLUTION, WILL ABSTAIN, BOTH TO TRY TO DEFEAT THE RESOLUTION "FOR LACK OF A QUORUM" AND ALSO APPARENTLY BECAUSE OF A DESIRE TO HEDGE SOMEWHAT.

THE UNITED STATES GOVERNMENT DELEGATION'S POSITION:

OUR US DELEGATION HAS ADVANCED A NUMBER OF REASONS FOR VOTING IN FAVOR OF THE CHILE RESOLUTION BUT HAS MADE NO FORMAL RECOMMENDATION (STATE 139962).

OPTIONS:

BECAUSE A PRELIMINARY VOTE ON THE RESOLUTION HAS ALREADY BEEN TAKEN IN THE RESOLUTIONS COMMITTEE, OUR DELEGATION ADVISES US THAT SEPARATE VOTES ON OBJECTIONABLE PARAGRAPHS ARE NO LONGER POSSIBLE. NOR, IN THEIR VIEW, WOULD SEPARATE VOTES BE ALLOWED WHEN THE RESOLUTION IS VOTED ON IN PLENARY SESSION.

THUS, OUR PRINCIPAL OPTIONS ARE TO:

(A) VOTE FOR THE RESOLUTION; OR

(B) ABSTAIN, WITH THE DOUBLE OBJECTIVE OF AVOIDING "A QUORUM" AND OF HEDGING OUR BETS.

WE COULD ALSO VOTE AGAINST THE RESOLUTION, BUT OUR DELEGATION SAYS THAT PRACTICALLY NO ONE BUT CHILE WILL VOTE "NO". THUS, THIS DOES NOT SEEM TO BE A REAL OPTION, BECAUSE IN SO DOING WE WOULD BE VERY ISOLATED, PROBABLY WITH ONLY THE CHILEANS AS COMPANY.

ARGUMENTS FOR VOTING FOR THE RESOLUTION:

(A) THE EUROPEAN DELEGATIONS (EXCEPT SOME OF THE EMPLOYERS') STRONGLY SUPPORT THE RESOLUTION AND ARE SEEKING OUR POSITIVE VOTE;

(B) THE AFL/CIO WOULD WELCOME OUR VOTING FOR THE RESOLUTION; CONFIDENTIAL

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TION;

(C) CIVIL RIGHTS-MINDED MEMBERS OF CONGRESS SUCH AS REPRESENTATIVE DONALD FRASER, WHO OPPOSE THE CHILEAN JUNTA WILL EXPECT OUR SUPPORT FOR THE RESOLUTION;

(D) THE HUMAN RIGHTS AND TRADE UNION SITUATION IN CHILE REMAINS DISTURBED AND OUR AFFIRMATIVE VOTE WOULD DEMONSTRATE THAT WE SO BELIEVE;

ARGUMENTS FOR ABSTENTION:

(A) CHILE, ARA POINTS OUT, IS GOING THROUGH A PARTICULARLY TRAUMATIC WINTER, COMPLICATED BY INTRACTABLE ECONOMIC DIFFICULTIES, AND OUR VOTE AGAINST CHILE WOULD BE INTERPRETED AS AN ANTAGONISTIC MOVE BY THE UNITED STATES, PARTICULARLY IN CONTRAST TO OUR UNINSTRUCTED ABSTENTION IN A PRELIMINARY COMMITTEE VOTE;

(B) THE RESOLUTION GOES TOO FAR IN CALLING FOR A GENERAL AMNESTY, WHICH CONSTITUTES AN IMPROPER INTRUSION INTO DOMESTIC AFFAIRS;

(C) THE RESOLUTION'S CONCLUSIONS GO BEYOND THE FACTS CITED IN THE ILO INVESTIGATION IN CRITICIZING THE TRADE UNION SITUATION IN CHILE. THE ADOPTION OF SUCH A RESOLUTION COULD UNDERCUT THE POSSIBILITY OF SENDING FUTURE INVESTIGATING COMMISSIONS TO CHILE;

(D) A POSITIVE VOTE MIGHT LEAD THE SUSPICIOUS CHILEANS TO LINK THIS MOVE WITH THE JUNE 13 ANNOUNCEMENT OF OUR NEW

PAROLE PROGRAM FOR CHILEAN DETAINEES, AND LEAD THEM TO THE

CONCLUSION THAT US POLICY TOWARDS CHILE IS BEING MODIFIED;

(E) EMPLOYERS' GROUPS IN GENERAL, HOWEVER THEY FINALLY
VOTE, TEND TO OPPOSE THIS RESOLUTION AS BEING TOO HARSH
AGAINST CHILE AND AS BEING "TOO POLITICAL" FOR THE ILO,
WHICH THEY BELIEVE SHOULD CONCENTRATE ON NON-POLITICAL LABOR
PROBLEMS;
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(F) OUR ABSTENTION, ALONG WITH MAJOR LATIN AMERICAN
GOVERNMENT DELEGATIONS LIKE THOSE FROM ARGENTINA, BRAZIL AND
COLOMBIA, WOULD BE VIEWED -
AT LEAST BY THESE COUNTRIES -
AS AN ACT OF AMERICAN SOLIDARITY.

RECOMMENDATIONS:

(A) THAT YOU AUTHORIZE THE US GOVERNMENT DELEGATION TO
VOTE FOR THE CHILE RESOLUTION, WITH AN EXPLANATION OF VOTE
INDICATING THAT, WHILE BELIEVING THAT THE RESOLUTION OVER-
STATES THE FINDINGS OF THE ILO INVESTIGATING COMMITTEE,
WE NEVERTHELESS SUPPORT IT BECAUSE IT DEMONSTRATES OUR
CONCERN OVER THE SERIOUS TRADE UNION SITUATION THERE. IO,
D/HA, AND S/IL SO RECOMMEND.

APPROVE DISAPPROVE

(B) OR ALTERNATIVELY, PROVIDING THE PRINCIPAL LATIN
AMERICAN GOVERNMENT REPRESENTATIVES ABSTAIN ON THE
RESOLUTION, THAT YOU AUTHORIZE THE US GOVERNMENT DELEGATION
TO ABSTAIN, WITH AN EXPLANATION OF VOTE INDICATING THAT
WHILE WE SUPPORT SOME ELEMENTS OF THE RESOLUTION, WE

BELIEVE IN BALANCE THAT IT FAILS TO RECOGNIZE IMPROVEMENTS
IN THE CHILEAN TRADE UNION PICTURE. ARA STRONGLY SUPPORTS

THIS OPTION.

APPROVE DISAPPROVE OTHER

MR. SISCO WISHES TO DISCUSS THIS PROBLEM WITH YOU TOMORROW.

CLEARED: IO, ARA, AND S (COVEY)
SISCO

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TOSEC, LABOR RELATIONS, BRIEFING MATERIALS, RESOLUTIONS, LABOR UNIONS
Control Number: S7512116
Copy: SINGLE
Draft Date: 15 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE139967
Document Source: ADS
Document Unique ID: 00
Drafter: IO:ROBLAKE:BKM
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D750208-1079
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197506101/baaaamrs.tel
Line Count: 265
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 24 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 JUN 2003 by BoyleJA>; APPROVED <04 NOV 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: ELAB, CI, ILO
To: SECRETARY
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006